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MITCHELL PRUST

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Attorneys for Defendant and Counterclaimant
APPLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MITCHELL PRUST,

Plaintiff,

v.

APPLE INC.,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. 3:09-cv-05241-EDL

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING DISMISSAL**

The parties, through their respective undersigned counsel, hereby stipulate pursuant to Fed. R. Civ. P. 41(a)(1) that: (1) all claims for relief asserted against APPLE INC. by MITCHELL PRUST herein are dismissed with prejudice; (2) all counterclaims for relief against MITCHELL PRUST by APPLE INC. are dismissed without prejudice; and (3) all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

Dated: June 9, 2010

CHRISTOPHER D. BANYS
DANIEL W. BEDELL
THE LANIER LAW FIRM, P.C.

By: /s/ Christopher D. Banys
CHRISTOPHER D. BANYS

Attorneys for Plaintiff and Counterdefendant
MITCHELL PRUST

Dated: June 9, 2010

MICHAEL A. JACOBS
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By: /s/ Rudy Y. Kim
RUDY Y. KIM

Attorneys for Defendant and Counterclaimant
APPLE INC.

UPON STIPULATION of the parties, and good cause appearing therefore, it is hereby ORDERED, ADJUDGED and DECREED that: (1) all claims for relief asserted against APPLE INC. by MITCHELL PRUST herein are dismissed with prejudice; (2) all counterclaims for relief against MITCHELL PRUST by APPLE INC. are dismissed without prejudice; and (3) all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

IT IS SO ORDERED.

Dated: June 9, 2010

Elizabeth D. Laporte
THE HON. ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE